

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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JANE DOE, *et. al.*,

Plaintiffs,

Case No.  
1:20-cv-00840-BKS-CFH

-against-

HOWARD ZUCKER, in his official capacity  
as Commissioner of Health for the State of New  
York, *et al.*,

Defendants.  
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### NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, the Affirmation of James G. Ryan with attached exhibits, and upon all prior pleadings and proceedings, defendants COXSACKIE-ATHENS SCHOOL DISTRICT, RANDALL SQUIER, FREYA MERCER, SHENENDEHOWA CENTRAL SCHOOL DISTRICT, DR. L. OLIVER ROBINSON, SEAN GNAT, ANDREW HILLS, PENFIELD CENTRAL SCHOOL DISTRICT, DR. THOMAS PUTNAM, LANSING CENTRAL SCHOOL DISTRICT, CHRIS PETTOGRASSO, CHRISTINE REBERA, and LORRI WHITEMAN, will move this Court before the Honorable Brenda K. Sannes, at the United States District Court for the Northern District of New York, located in Syracuse, New York, on **Thursday, November 5, 2020**, at 10:00 am, or another date and/or time to be determined by the Court, for an Order pursuant to Federal Rules of

Civil Procedure 12(b)(1) and 12(b)(6) dismissing this action in its entirety, together with such other and further relief as this Court deems just, equitable, and proper.

Dated: Garden City, New York  
September 24, 2020

A handwritten signature in black ink, appearing to read 'J. Ryan', with a long horizontal line extending to the right.

James G. Ryan  
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